

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GENE PALMER,

Plaintiff,

v.

TIENNEY MILNOR, HER HUSBAND
AND THEIR MARITAL COMMUNITY,
MELANIE TRATNIK, HER HUSBAND
AND THEIR MARITAL COMMUNITY,
STATE OF WASHINGTON, OFFICE OF
ATTORNEY GENERAL, DEPARTMENT
OF LABOR AND INDUSTRIES,
LABORERS' INTERNATIONAL UNION
OF NORTH AMERICA LOCAL 292,
AND DISTRICT COUNCIL OF
LABORERS WASHINGTON AND
NORTHERN IDAHO,

Defendants.

Case No. 2:19-cv-00961-RAJ

ORDER GRANTING MOTION
FOR LEAVE TO AMEND

The matter comes before the Court on Plaintiff's motion to amend. Dkt. # 22.

Amendment to pleadings is governed by Federal Rule of Civil Procedure 15(a). Rule 15(a) "provides that a party's right to amend as a matter of course terminates 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier." Fed. R. Civ. P. 15(a)(1)(B). "In all other cases, a party may amend its pleading only with the opposing party's written consent or the court's leave.

1 The court should freely give leave when justice so requires.” Fed. R. Civ. P. 15(a)(2). “In
2 exercising this discretion, a court must be guided by the underlying purpose of Rule 15 to
3 facilitate a decision on the merits, rather than on the pleadings or technicalities.” *Roth v.*
4 *Garcia Marquez*, 942 F.2d 617, 628 (9th Cir. 1991); *United States v. Webb*, 655 F.2d 977,
5 979 (9th Cir. 1981). Further, the policy of favoring amendments to pleadings should be
6 applied with “extreme liberality.” *DCD Programs, Ltd. v. Leighton*, 833 F.2d 183, 186
7 (9th Cir. 1987).

8 Having considered the Rule 15 factors, the Court **GRANTS** Plaintiff’s motion to
9 amend. The Court orders that Plaintiff comply with the format requirements set forth in
10 Fed. R. Civ. P. 10(b) and Local Civil Rule 10(e), including fully numbering the paragraphs
11 in the Amended Complaint and the use of numbered paper. Plaintiff’s Amended Complaint
12 shall be filed no later than 21 days following this order. Having granted Plaintiff leave to
13 amend, the Court **DENIES** as moot Defendants’ motion to dismiss (Dkt. # 24) and
14 Plaintiff’s motion for an extension of time (Dkt. # 27).

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16 DATED this 31st day of March, 2020.

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19 The Honorable Richard A. Jones
20 United States District Judge
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